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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,178	11/19/2003	Leslie Dotson	2219.0030001	3809
26111	7590	05/06/2005	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			FRANKLIN, JAMARA ALZAIDA	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,178

Applicant(s)

DOTSON, LESLIE

Examiner

Jamara A. Franklin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 4 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 8 and 9 are objected to because of the following informalities:

in claim 8, line 2, substitute "a" with --said--; and

in claim 9, line 2, substitute "a" with --said--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sternglass et al. (US 5,995,025) (hereinafter referred to as 'Sternglass') in view of Monney et al. (US 6,785,127) (hereinafter referred to as 'Monney').

Sternglass teaches a foldable keyboard assembly (expandable keyboard 10), comprising:

a keyboard comprising a first keyboard segment (central keyboard assembly 14) and a second keyboard segment (right keyboard assembly 20 and left keyboard assembly 22) attached thereto by a first hinge assembly, each of said first and second keyboard segments having a top portion upon which is disposed a plurality of keys and a bottom portion, said first hinge assembly permitting said first and second keyboard segments to be arranged in an open position

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in which said top portions of said first and second keyboard segments are exposed or in a closed position in which said top portions of said first and second keyboard segments are concealed (see figures 1B, 1C, and 1D and col. 7, lines 19-21); and

a carriage (platform 62) coupled to said keyboard, said carriage comprising a back plate (back wall 64), said back plate including a plurality of braces adapted to support a digital device (cover 90 of the portable computer 12) communicatively coupled to said keyboard (col. 5, lines 44-47);

the assembly wherein said first hinge assembly includes a locking mechanism for locking said first and second keyboard segments in said open position (col. 12, lines 8-10);

the assembly wherein said keyboard further comprises a port adapted to receive a means for communicating with a digital device (col. 6, lines 4-13);

the assembly wherein the carriage comprises an infrared (IR) assembly attached to said back plate, said IR assembly comprising a stem and an IR sensor (col. 6, lines 10-13);

the assembly wherein said means for communicating with a digital device comprises a Universal Serial Bus (USB) cable; and

the assembly wherein said means for communicating with a digital device comprises a wireless interface adapter.

Sternglass lacks the teaching of said plurality of braces being slidably adjustable.

Monney teaches a foldable keyboard assembly, comprising:

a keyboard (130); and

a carriage (frame 112) coupled to a keyboard, said carriage comprising a back plate, said back plate including a plurality of braces (adjustable finger module 120) adapted to support a

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digital device coupled to said keyboard, wherein at least one of said plurality of braces is slidably adjustable to accommodate digital devices of different sizes;

the assembly wherein said at least one of said plurality of braces is slidably adjustable to accommodate a personal digital assistant, a tablet computer, or a wireless phone;

the assembly wherein said plurality of braces includes a spring-biased brace, a lower brace and a side brace.

One of ordinary skill in the art would have readily recognized that the plurality of slidable braces would have been beneficial to the Sternglass invention for encouraging flexibility within the assembly. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Sternglass with the aforementioned teaching of Monney to make the invention more durable and able to sustain physical stress.

4. Claims 10-14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sternglass/Monney as applied to claim 1 above, and further in view of Igushi et al. (US 5,307,297) (hereinafter referred to as 'Iguchi').

Sternglass/Monney lack the teaching of the IR stem being rotatable to align said IR sensor with the IR port.

Iguchi teaches a stem being rotatable to align a sensor with a port of a digital device for communication (see figure 11 and col. 3, line 50-53).

One of ordinary skill in the art would have readily recognized that providing the Sternglass/Monney invention with a rotatable IR stem would have been beneficial for ensuring proper communication connection. Therefore, it would have been obvious, at the time the

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invention was made, to modify the teachings of Sternglass/Monney with the aforementioned teaching of Iguchi to reduce the chance of the loss of data.

Allowable Subject Matter

5. Claims 4 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, a foldable assembly wherein the back plate further comprises a plurality of recesses, each one of said plurality of recesses adapted to house a corresponding one of said plurality of braces when the brace is not in use.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

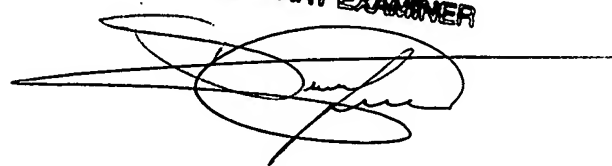
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamar A. Franklin
Examiner
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JAF
April 30, 2005


DANIEL STCYR
PRIMARY EXAMINER